



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,211	03/15/2004	Edward M. Furman	LEE 200390	8550

64956 7590 05/16/2007
FAY SHARPE / LINCOLN
1100 SUPERIOR AVENUE
SEVENTH FLOOR
CLEVELAND, OH 44114

EXAMINER

SHAW, CLIFFORD C

ART UNIT	PAPER NUMBER
----------	--------------

1725

MAIL DATE	DELIVERY MODE
-----------	---------------

05/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/800,211	Applicant(s) FURMAN ET AL.	
	Examiner Clifford C. Shaw	Art Unit 1725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-19, 21, and 23 is/are allowed.
- 6) ☒ Claim(s) 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 June 2004 and 08 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1.) The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2.) Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hongu et al. (6,384,375). Figure 3 and the discussion at column 9, line 40 – line 67 in the patent to Hongu et al. (6,384,375) disclose an electric welder with features claimed, including the transmission of a signal unique to the power supply on an output lead thereof at element 21. The claims differ in alluding to a plurality of power sources. This difference does not patentably distinguish over the prior art. Insofar as the allusion to plural power sources provides any structural limitation to the single electric welder being claimed, this limitation is obvious over Hongu et al. (6,384,375). In column 9, lines 55-60, Hongu et al. (6,384,375) teaches that different models of power supply will have different model identification signals. It is considered obvious that different models of power supply be present in one location, the reason being to provide for different functionality in the same welding location. Since each power supply has its own identification signal, the claim language would be satisfied. In regard to the claimed command signals, in Hongu et al. (6,384,375), the identification signal issued to the robot controller “prohibits selection of welding method, electrodiometer and welding material no applicable to the AWPS 10” and thus constitutes a command signal since it “commands” the robot controller to assume a certain state. The use of the power supply on multiple occasions will necessitate the transmission of multiple signals, corresponding to the plural “command signals” claimed.

3.) Claims 1-19, 21 and 23 are allowable over the prior art of record. None of the prior art of record teaches or suggests the apparatus of independent claim 1 wherein a transmitter on the wire feeder transmits a coded power supply starting signal as set forth in the claim. None of the prior art of record teaches or suggests the method of independent claim 7, especially the steps involved with transmitting a coded signal to only one power source of a plurality of sources when starting is sensed in the manner set forth in the claim. Claims 2-6, 8, and 9 are allowable at least because they depend from claims 1 and 7. In regard to claims 10-19, 21 and 23, none of the prior art of record teaches or suggests an arrangement with all the features claimed, particularly the limitations directed to: a plurality of power sources; each power source having a transmitter to transmit a unique coded signal; and a wire feeder transmitting a signal coded on the basis of the unique power supply code in the manner set forth in the claims.

4.) Applicant's arguments filed 2/28/2007 have been fully considered but they are not persuasive. All of the claims have been allowed except for claim 22. Claim 22 is broad enough to be obvious over the prior art as discussed above. Applicant argues that the applied prior art does not disclose the claimed command signal feature. This argument is not persuasive. As noted by applicant (especially in his discussion of claim 23), the power supply identification signal in Hongu et al. (6,384,375) sets (i.e., "commands") the robot controller to a certain state. This signal therefore constitutes a command signal.

Art Unit: 1725

5.) **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Clifford C Shaw at telephone number 571-272-1182. The examiner can normally be reached on Monday through Friday of the first week of the pay period and on Tuesday through Friday of the second week of the pay period.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Patrick J. Ryan, can be reached at 571-272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1725

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Clifford C Shaw
Primary Examiner
Art Unit 1725

May 9, 2007